

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.3512 of 1995

Dated: 11.08.2006

Between
Ravuri Madhava Rao
And others.

.....Petitioners

and

1. The Commissioner of Civil
Supplies, Andhra Pradesh,
Erramanzil, Hyderabad and
Others.

....Respondents

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ORDER:

This writ petition is filed seeking Certiorari to call for the records relating to the proceedings in RC No.A3/13/95 dated 28.1.1995 and Proc. Rc.No.A3/547/95 dated 8.2.1995 issued by the 6th respondent and quash the same as illegal and arbitrary.

It is the case of the petitioners that they are all residents of AP Housing Board Colony situated at Illendu road, Mahabubabad, Warangal District. They have been allotted houses on hire purchase basis and they have been residing therein. There was a rice mill known as Gilada industries situated at about 25 yards beyond the housing colony limitations. Due to the existence of the rice mill, dust and other polluted material emanating from the rice mill are causing health hazard and the colony people are suffering with number of diseases. Therefore, they have lodged complaints to the official respondents several times requesting them to shift the above industry to a place where the pollution does not cause any harm to the public. In addition to this, 8th and 9th respondents are proposing to set up a rice mill under the name and style of Balaji Industries and made an application to the 6th respondent seeking permission. The 7th respondent, who is hand in glove with the 6th respondent and a sleeping partner with the 8th respondent, granted permission under Section 125 of

the A.P. Gram Panchayat Act and forwarded the same to the 4th and 5th respondents recommending the approval of erection of the mill enclosing with a resolution passed by the Gram Panchayat misrepresenting the fact that no objections were received from the nearby residents. The 4th respondent initially by proceedings in Rc.No.438/Peshi/95 dated 6.2.1995 granted no objection certificate and other application is pending with the 5th respondent.

It is the further case of the petitioners that in spite of the objections expressed by the medical and health Department and in spite of strong protest by the petitioners as to the erection of the proposed rice mill within 15 yards from the colony, the respondents have issued no objection certificate and permission for erection of the rice mill.

Thus, the only grievance of the petitioners is that though they made an effective representation, the same was not considered by the Gram Panchayat and the Gram Panchayat passed a resolution misrepresenting the fact as if no objections were received from the nearby residents.

In view of the above, without going into the merits of the case, the 2nd and 4th respondents are directed to consider the very writ petition as a representation of the petitioners and cause necessary enquiry into the matter and pass appropriate orders after issuing notice to all the concerned and hearing them personally as to whether the location of the Gilada industry and the proposed Balaji industries are causing any pollution and disturbing the ecology and making disorder of the living and health of the

residents in the nearby locality. Apart from this, the petitioners are also at liberty to approach the Pollution Control Board in this regard and work out their remedies.

Writ petition is disposed of accordingly.

11-08-2006

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